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September 20, 2010

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street S.W.
Room TW-A-325
Washington, D.C. 20002

In the Matter of Petition for Waiver of Sections 15.503(d) and 15.521(d) of the Commission's Rules
ET Docket No. 10-167

Dear Ms. Dortch:

AKELA, Inc. respectfully submits the following comments in support of Curtiss-Wright Controls, Inc.'s request for a waiver of Sections 15.503(d) and 15.521(d) to permit the marketing and operation of its stepped-frequency Ground Penetrating Radar (GPR) 3d-Radar system.

A number of benefits can be derived from the superior performance of stepped-frequency waveforms as implemented in the 3d-Radar system. Given these benefits, AKELA is encouraged by the Commission's decision to take into consideration Curtiss-Wright's request for a waiver in the Commission's rules applying to ultra-wideband (UWB) devices. In granting this request for a waiver, and thereby allowing stepped-frequency devices to be measured with frequency stepping active, a positive incremental advancement will have been taken towards providing equitable, technology neutral measurement techniques for UWB devices. This will facilitate the development and implementation of other devices employing this technology. Additionally, as Curtiss-Wright states, "there are yet to be any reports of interference from devices operating pursuant to a waiver," and the limited scope of this waiver will allow further testing of stepped-frequency devices and provide additional data on interference, or lack thereof, with incumbent users.

The public benefits to be derived from Curtiss-Wright's 3d-Radar GPR system in assessing the Nation's aging infrastructure would be significant. Changing the current method of assessing the interference potential of stepped-frequency devices, as requested in the waiver, would encourage development of the technology for application to other local and national security and public safety issues. Among these, for example, would be their use during victim recovery efforts from natural and man-made disasters. This waiver would not only serve to advance technology protecting public safety, but will also enable the development of high performance devices and methods which can serve the public interest in a number of other important areas.

It is AKELA's understanding, as noted in Curtiss-Wright's petition, that the waiver request is consistent with recent Commission waivers, and the policy of the Commission in the past has been to grant waivers of this type when it can be shown that in doing so there will be little or no threat of harmful interference to spectrum users, the best interests of the public are served, and the policies of the Commission are not undermined. It is AKELA's contention that in this instance, the Commission's granting of the waiver will satisfy these criteria.

AKELA, Inc. was founded in 1993 and has its headquarters in Santa Barbara, CA. Funding through the National Institute of Justice and the Department of Defense has enabled AKELA to explore the use of stepped-frequency radar for use in various law enforcement, homeland security, and military applications. The technology employed is similar to that used in Curtiss-Wright's 3d-Radar system.

Sincerely,

A handwritten signature in black ink, appearing to read "Allan R. Hunt". The signature is fluid and cursive, with the first name "Allan" and last name "Hunt" clearly distinguishable.

Allan Hunt
President
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